## 454 CMR 23.00: OCCUPATIONAL LEAD POISONING REGISTRY

Section



### 23.01: Purpose and Scope

(1) Purpose. The purpose of 454 CMR 23.00 is to establish an Occupational Lead Poisoning Registry in order to assist in the identification and treatment of workers exposed to lead and to reduce the incidence of occupational lead poisoning in the Commonwealth. The regulations will define clinical laboratory reporting requirements and responsibilities of health care providers.

(2) Scope. 454 CMR 23.00 applies to every Massachusetts clinical laboratory that performs blood lead testing on-site or that sends blood specimens to out-of-state laboratories for lead testing; and to health care providers who order blood lead testing on individuals over the age of 15.

(3) Authority. 454 CMR 23.00 is promulgated under the authority of M.G.L. c. 149, s. 11A.

### 23.02: Definitions

Clinical Laboratory. A facility or place, however named, the purpose of which is to make biological, serological, chemical, immunohematological, cytological, pathological, or other examinations of materials derived from a human body.

Commissioner. The Commissioner of the Department of Labor and Industries.

Department. The Department of Labor and Industries.

Elevated Blood Lead Level. A blood lead level 15 micrograms per deciliter or greater.

Health Care Provider. Any physician, physician's assistant, nurse practitioner, nurse, hospital, clinic or health maintenance organization.

Lead Registry. The Occupational Lead Poisoning Registry located within the Department of Labor and Industries' Division of Occupational Hygiene.

Reporting Laboratory. A laboratory responsible for reporting a blood lead analysis to the Department under 23.03(1)(a).

Testing Laboratory. A laboratory which performs a blood lead analysis.

### 23.03: Clinical Laboratory Reporting

(1) General Requirements.
(a) A laboratory which performs blood lead testing on site or which sends blood lead specimens to out-of-state laboratories for lead testing shall report cases of elevated blood lead levels for all individuals over the age of 15, or for all individual where data on age is not available, to the Lead Registry.
(b) An individual over the age of 15 is any person who has passed his or her fifteenth birthday.

(2) Procedures for Reporting.
(a) Reports shall be made in a format approved by the Department.
(b) Reports shall be made to the Department on a weekly basis.

(3) Information to be reported to the Department shall include the following:
(a) Name of the reporting laboratory;

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(b) Name of the testing laboratory;
(c) Name of the person tested;
(d) Date of birth or the age of the person tested;
(e) Blood lead level of the person tested;
(f) Free erythrocyte or zinc protoporphyrin level, if performed;
(g) Date the blood specimen was drawn;
(h) Date the specimen was received by the reporting laboratory;
(i) Date of the blood lead test report;
(j) Name, and address or telephone number of the health care provider who ordered the blood lead test;
(k) Name, address and occupation of the person tested, when available;
(l) Name, address and telephone number of the employer of the person tested, when available.

23.04: Responsibilities of Health Care Providers

(1) Upon written or telephone request of the Department, a health care provider who has ordered a blood lead test shall provide the patient's address and telephone number to the Lead Registry, and, when known, the following information:

(a) Race and ethnicity;
(b) Date of birth;
(c) Circumstances of lead exposure;
(d) Occupation;
(e) Type of industry of employer of person tested;
(f) Employer's name, address and telephone number.

23.05: Confidentiality

(1) The clinical laboratory report and the patient information provided by the health care provider shall be maintained confidential and are not matters of public record.

(2) The Department of Public Health shall have full access to this information for the purposes of research and analysis.

23.06: Enforcement

(1) Any person who violates any provision of this regulation shall be subject to a civil penalty not to exceed five hundred dollars for each violation.

(2) Each day such violation occurs or continues shall be considered a separate violation.

REGULATORY AUTHORITY

454 CMR 23.00: M.G.L. c. 149, s. 11A.